

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: HB 514 HLS 10RS 1330

Bill Text Version: ENGROSSED

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 11, 2010	2:37 PM	Author: ST. GERMAIN
Dept./Agy.: Corrections		
Subject: Simple arson		Analyst: Matthew LaBruyere

CRIME/ARSON EG INCREASE GF EX See Note Page 1 of 1
Amends the crime of simple arson

Present law provides for the crime of simple arson and defines it as the intentional damaging by any explosive substance or the setting fire to any property of another, without the consent of the owner. The proposed legislation retains present law and adds the starting of a fire or causing an explosion while the offender is engaged in the perpetration of another criminal offense even though the offender does not have the intent to start a fire or cause an explosion.

EXPENDITURES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation may result in an increase in state general fund expenditures. The exact fiscal impact of the passage of this legislation is indeterminable since it adds the definition of starting a fire or causing an explosion in the perpetration or attempted perpetration of another crime to the crime of simple arson and it is not known how many people will be convicted of this crime. However, any offender sentenced to the custody of the Department of Public Safety and Corrections increases expenditures by \$24.39 per day per offender in local facilities. To the extent that offenders are sentenced and housed in state facilities, the cost per day per offender is \$54.49. Currently, the Department of Corrections houses 50% of state offenders at the local level and 50% at the state level.

According to the Department of Correction there are currently 54 offenders incarcerated for simple arson with an average sentence of 8.84 years, 7 offenders incarcerated for simple arson of a religious building with an average sentence of 11.69 years, 11 offenders incarcerated for simple arson where damage amounts to \$500 or more with an average sentence of 9.85 years, and 1 offender incarcerated for simple arson where damage is less than \$500 with an average sentence of 5 years.

REVENUE EXPLANATION

There is no anticipated direct material effect on state revenues as a result of this measure. However, any revenue generated through the imposition of fines associated with the penalties of the crime in this legislation would accrue to local government entities.